

## **REMARKS**

Claims 1-3, 6-21 and 23 are pending in this application. Claims 24-45 have been withdrawn from consideration in response to the Examiner's request for election of April 7, 2006. In the April 7, 2006 Office Action, the Examiner rejected claims 1-3, 6-21 and 23 under 35 U.S.C. 112 as indefinite. The Examiner rejected claims 1-3, 6, 8, 10-12, 14-21 and 23 under 35 U.S.C. 103(a) as being unpatentable over Cane (U.S. Patent No. 5,416,840) in view of Ayanoglu (U.S. Patent No. 5,689,252). The Examiner rejected claims 9 and 13 under 35 U.S.C. 103(a) as being unpatentable over Cane in view of Ayanoglu and in further view of Dreifus. The Examiner also rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Cane in view of Ayanoglu and in further view of Deitel (H.M. Deitel, "Operating Systems", 2nd edition, 1990).

### ***Rejections under 35 U.S.C. 112***

The Examiner rejected claims 1-3, 6-21 and 23 under 35 U.S.C. 112 as indefinite due to the phrase "access authorization identifier entered using the input unit" not having support in the specification. Applicant has amended claim 1 to refer to an "access authorization identifier, calculated from a code entered using the manual input unit." See Specification, pg. 6, ll. 1-5. Accordingly, Applicants request reconsideration and withdrawal of this rejection of claim 1. Additionally, Applicants request the withdrawal of this rejection of claims 2, 3, 6-21 and 23 by virtue of their dependence from claim 1.

### ***Rejections under 35 U.S.C. 103***

1. The Examiner rejected claims 1-3, 6-21 and 23 under 35 U.S.C. 103(a) as being unpatentable over Cane in view of Ayanoglu. Applicant has amended claim 1 to require that the input unit be a manual input unit.

Obviousness requires that each and every element of a claim be present in a combination of references. *See* MPEP § 2143.01. The Examiner states that Cane discloses a “a file management system which is designed to compare an access authorization identifier, calculated from a code entered using the manual input unit, with access authorization identifiers for the files stored on the bulk storage medium.” However, Cane does not disclose an access authorization identifier calculated from a code entered using the manual input unit. Rather, Cane discloses an access authorization identifier calculated from a code received from an “order file.” Col. 7, ll. 6-8 (“authorization code  $A_i^E$  is stored in a storage medium 410, such as the order file described above”); FIG. 6 (order file 410 outputting the authorization code  $A_i^E$ ); Col. 6, ll. 42-44 (“the password  $P_{ij}$  is stored in an order file 410 or other file accessible by the PCDD 110”). Nowhere does Cane disclose the manual input of an code. As discussed above, Cane explicitly discloses that a computer file of some sort must be used to store the authorization code, and discloses no other way of entering an authorization code.

A rejection for obviousness must meet additional legal standards. A modification to a reference is not obvious if it changes that reference’s principle of operation. MPEP 2143.01. Further, a modification to a reference that renders the reference unsatisfactory for its intended purpose is not obvious. *Id.* Finally, the motivation to combine reference must be “clearly and particularly” taught in the references. *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999).

The Examiner concedes that Cane fails to disclose a motor vehicle computer system “adapted for use in a motor vehicle.” The Examiner cites to Ayanoglu to remedy that deficiency. As motivation for combining the motor vehicle navigation system of Ayanoglu with the software authorization system of Cane, the Examiner states that one of ordinary skill in the art would incorporate Cane’s system into the navigation system of Ayanoglu in order to prevent unauthorized copying of the CD-ROM data of Ayanoglu. However, Cane does not suggest that

the system of Cane may be used to prevent the unauthorized copying of data found in a vehicle navigation system, nor does Ayanoglu suggest that a system to protect the CD-ROM data from unauthorized copying is advisable.

Moreover, if Ayanoglu were modified to incorporate the system of Cane (despite the lack of motivation in the prior art to do so), the modification would render Ayanoglu unsuitable for its intended purpose. *See* MPEP 2143(V). The only mechanism disclosed by Cane by which an authorization code may be entered is order file 410. This order file is “transmitted” to the user, presumably over some sort of network connection. Col. 41, ll. 41-42. If the system of Cane were installed in a vehicle navigation system such as the system disclosed by Ayanoglu, there would be no way for an authorization code to be entered, as the vehicle navigation system of Ayanoglu has no generalized communications capability, but rather only has a global positioning receiver and a traffic receiver. *See* FIG. 1 (GPS 26 and traffic receiver 32). As a result, the user would be unable to access any of map files stored on the CD-ROM.

Further, even if an authorization code were somehow able to be entered into the Ayanoglu system, Ayanoglu discloses no mechanism by which the authorization code may be stored. That is, Ayanoglu discloses no persistent, writeable storage medium, but rather only discloses a CD-ROM drive. As noted above, Cane requires a writeable storage medium in which to store order file 410. *See* Col. 6, ll. 41-44.


In short, incorporating the Cane system into the Ayanoglu navigation system would render the Ayanoglu navigation system effectively inoperable, as a user would be unable to gain access to the map files. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1. Claims 2, 3, 6-21 and 23 are believed allowable for at least the same reasons present above with respect to claim 1 by virtue of their dependence from claim 1.

2. The Examiner rejected claims 9 and 13 as being unpatentable over Cane in view of Ayanoglu and in further view of Dreifus. Dreifus does not cure the deficiencies of Cane and Ayanoglu as set forth above with respect to claim 1. Accordingly, claims 9 and 13 are believed allowable for at least the same reasons as presented above with respect to claim 1 by virtue of their dependence from claim 1.

3. The Examiner rejected claim 7 as being unpatentable over Cane in view of Ayanoglu and in further view of Deitel. Deitel does not cure the deficiencies of Cane and Ayanoglu as set forth above with respect to claim 1. Accordingly, claim 7 is believed allowable for at least the same reasons as presented above with respect to claim 1 by virtue of its dependence from claim 1.

For the foregoing reasons, Applicant respectfully submits that the pending claims (1-3, 6-21 and 23) are in condition for allowance and that the Examiner issue a notice of allowance in the above-identified application. The Office is authorized to charge all fees, if any, associated with this Amendment to Deposit Account No. 13-0019.

Respectfully submitted,

  
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